

**House File 2558 - Introduced**

HOUSE FILE 2558

BY COMMITTEE ON APPROPRIATIONS

(SUCCESSOR TO LSB 5006HB)

**A BILL FOR**

1 An Act relating to appropriations to the judicial branch.

2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1     Section 1.   JUDICIAL BRANCH.

2     1.   There is appropriated from the general fund of the state  
3 to the judicial branch for the fiscal year beginning July 1,  
4 2022, and ending June 30, 2023, the following amounts, or so  
5 much thereof as is necessary, to be used for the purposes  
6 designated:

7     a.   For salaries of supreme court justices, appellate court  
8 judges, district court judges, district associate judges,  
9 associate juvenile judges, associate probate judges, judicial  
10 magistrates and staff, state court administrator, clerk of  
11 the supreme court, district court administrators, clerks of  
12 the district court, juvenile court officers, board of law  
13 examiners, board of examiners of shorthand reporters, and  
14 commission on judicial qualifications; receipt and disbursement  
15 of child support payments; reimbursement of the auditor  
16 of state for expenses incurred in completing audits of the  
17 offices of the clerks of the district court during the fiscal  
18 year beginning July 1, 2022; and maintenance, equipment, and  
19 miscellaneous purposes:

20 ..... \$194,031,188

21     From the moneys appropriated in this paragraph, the  
22 judicial branch shall fund the appointment of four new district  
23 associate judge positions and the associated support staff.

24     b.   For deposit in the revolving fund created pursuant to  
25 section 602.1302, subsection 3, for jury and witness fees,  
26 mileage, costs related to summoning jurors, costs and fees for  
27 interpreters and translators, and reimbursement of attorney  
28 fees paid by the state public defender:

29 ..... \$ 3,600,000

30     c.   For a 5.9 percent salary increase for all state court  
31 justices, judges, and magistrates:

32 ..... \$ 2,969,362

33     2.   The judicial branch, except for purposes of internal  
34 processing, shall use the current state budget system, the  
35 state payroll system, and the Iowa finance and accounting

1 system in administration of programs and payments for services,  
2 and shall not duplicate the state payroll, accounting, and  
3 budgeting systems.

4     3. The judicial branch shall submit monthly financial  
5 statements to the legislative services agency and the  
6 department of management containing all appropriated accounts  
7 in the same manner as provided in the monthly financial status  
8 reports and personal services usage reports of the department  
9 of administrative services. The monthly financial statements  
10 shall include a comparison of the dollars and percentage  
11 spent of budgeted versus actual revenues and expenditures on  
12 a cumulative basis for full-time equivalent positions and  
13 dollars.

14     4. The judicial branch shall focus efforts upon the  
15 collection of delinquent fines, penalties, court costs, fees,  
16 surcharges, or similar amounts.

17     5. It is the intent of the general assembly that the offices  
18 of the clerks of the district court operate in all 99 counties  
19 and be accessible to the public as much as is reasonably  
20 possible in order to address the relative needs of the citizens  
21 of each county. An office of the clerk of the district court  
22 shall be open regular courthouse hours.

23     6. In addition to the requirements for transfers under  
24 section 8.39, the judicial branch shall not change the  
25 appropriations from the amounts appropriated to the judicial  
26 branch in this Act, unless notice of the revisions is given to  
27 the legislative services agency prior to the effective date.  
28 The notice shall include information on the judicial branch's  
29 rationale for making the changes and details concerning the  
30 workload and performance measures upon which the changes are  
31 based.

32     7. The judicial branch shall submit a semiannual update  
33 to the legislative services agency specifying the amounts of  
34 fines, surcharges, and court costs collected using the Iowa  
35 court information system since the last report. The judicial

1 branch shall continue to facilitate the sharing of vital  
2 sentencing and other information with other state departments  
3 and governmental agencies involved in the criminal justice  
4 system through the Iowa court information system.

5 8. The judicial branch shall provide a report to the general  
6 assembly by January 1, 2023, concerning the amounts received  
7 and expended from the court technology and modernization fund  
8 created in section 602.8108, subsection 7, during the fiscal  
9 year beginning July 1, 2021, and ending June 30, 2022, and the  
10 plans for expenditures from each fund during the fiscal year  
11 beginning July 1, 2022, and ending June 30, 2023.

12 Sec. 2. CIVIL TRIALS — LOCATION. Notwithstanding any  
13 provision to the contrary, for the fiscal year beginning July  
14 1, 2022, and ending June 30, 2023, if all parties in a case  
15 agree, a civil trial including a jury trial may take place in a  
16 county contiguous to the county with proper jurisdiction, even  
17 if the contiguous county is located in an adjacent judicial  
18 district or judicial election district. If the trial is moved  
19 pursuant to this section, court personnel shall treat the case  
20 as if a change of venue occurred.

21 Sec. 3. TRAVEL REIMBURSEMENT. Notwithstanding section  
22 602.1509, for the fiscal year beginning July 1, 2022, and  
23 ending June 30, 2023, a judicial officer may waive travel  
24 reimbursement for any travel outside the judicial officer's  
25 county of residence to conduct official judicial business.

26 Sec. 4. JUDICIAL OFFICER — UNPAID LEAVE. Notwithstanding  
27 the annual salary rates for judicial officers established by  
28 2021 Iowa Acts, chapter 168, section 6, for the fiscal year  
29 beginning July 1, 2022, and ending June 30, 2023, the supreme  
30 court may by order place all judicial officers on unpaid leave  
31 status on any day employees of the judicial branch are placed  
32 on temporary layoff status. The biweekly pay of the judicial  
33 officers shall be reduced accordingly for the pay period in  
34 which the unpaid leave date occurred in the same manner as  
35 for noncontract employees of the judicial branch. Through

1 the course of the fiscal year, the judicial branch may use an  
2 amount equal to the aggregate amount of salary reductions due  
3 to the judicial officer unpaid leave days for any purpose other  
4 than for judicial salaries.

5 Sec. 5. IOWA COMMUNICATIONS NETWORK. It is the intent  
6 of the general assembly that the judicial branch utilize  
7 the Iowa communications network or other secure electronic  
8 communications in lieu of traveling for the fiscal year  
9 beginning July 1, 2022, and ending June 30, 2023.

10 Sec. 6. Section 602.9116, Code 2022, is amended by adding  
11 the following new subsection:

12 NEW SUBSECTION. 3. The court administrator shall submit  
13 to the general assembly a copy of each actuarial valuation and  
14 annual actuarial update.

15 EXPLANATION

16 The inclusion of this explanation does not constitute agreement with  
17 the explanation's substance by the members of the general assembly.

18 This bill makes appropriations to the judicial branch.

19 The bill appropriates from the general fund of the state for  
20 FY 2022-2023 to the judicial branch for salaries, receipt and  
21 disbursement of child support payments, reimbursement of the  
22 auditor of state, maintenance, equipment, and miscellaneous  
23 purposes, for deposit in the revolving fund created pursuant to  
24 Code section 602.1302(3) for certain purposes, and for a 5.9  
25 percent salary increase for state court justices, judges, and  
26 magistrates.

27 The bill provides that a civil trial including a jury trial  
28 may take place in a county contiguous to the county with proper  
29 jurisdiction, even if the contiguous county is located in an  
30 adjacent judicial district or judicial election district, if  
31 all the parties in a case agree. If a trial is moved to another  
32 county that is located in another judicial district or judicial  
33 election district, the judicial officers serving the judicial  
34 district or judicial election district receiving the case shall  
35 preside over the case.

1     The bill permits a judicial officer to waive travel  
2 reimbursement for any travel outside the judicial officer's  
3 county of residence to conduct official business.

4     The bill allows a judicial officer to be placed on unpaid  
5 leave for the fiscal year beginning July 1, 2022, on any day a  
6 court employee is required to furlough. The bill provides that  
7 if a judicial officer is placed on unpaid leave, the salary of  
8 the judicial officer shall be reduced accordingly for the pay  
9 period in which the unpaid leave occurred. Through the course  
10 of the fiscal year, the bill provides that the judicial branch  
11 may use an amount equal to the aggregate amount of the salary  
12 reductions due to judicial officer unpaid leave for any purpose  
13 other than judicial salaries.

14    The bill states legislative intent that the judicial  
15 branch utilize the Iowa communications network or other secure  
16 electronic communications in lieu of traveling.

17    The bill requires the court administrator to provide the  
18 general assembly with a copy of each actuarial valuation and  
19 annual actuarial update.